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January 25, 2024

Via CM/ECF

Honorable Chief Judge Michael B. Kaplan, U.S.B.J.
United States Bankruptcy Court for the District of New Jersey
402 East State Street
Trenton, NJ 08608

Re: In re Rite Aid Corporation, *et al.*
Case No. 23-18993 (MBK)

Dear Chief Judge Kaplan:

We write on behalf of Rite Aid Corporation, *et al.* (collectively, the “Debtors”) in connection with the *Stipulation and Agreed Order (I) Appointing Hon. Shelley C. Chapman (Ret.) as Mediator to Mediate the Mediation Topics, (II) Referring Such Matters to Mediation, (III) Directing the Mediation Parties to Participate in the Mediation, and (IV) Granting Related Relief* (the “Mediation Order”) which was entered by the Court on January 12, 2024 at Docket Number 1469. As Your Honor is aware, the Mediation Order is an agreed upon form of Order among the key constituents in the case including the Debtors, Bank of America, N.A., the Ad Hock Group of Secured Noteholders, the Official Committee of Unsecured Creditors and the Official Committee of Tort Claims. The Office of the United States Trustee (the “UST”) is not a party to the Mediation Order.

Following entry of the Mediation Order, the UST provided the Debtors with comments to the Mediation Order. The Debtors, working with the mediator, the Hon. Shelley C. Chapman (Ret.), and the other mediation parties, attempted to address the UST’s comments but have been unable to come to a consensual resolution. As such, the Debtors respectfully request that the Court schedule a hearing with respect to the Mediation Order for January 29, 2024, the next scheduled hearing date in this matter.

As always, we appreciate the Court’s attention to this matter.

Respectfully submitted,

/s/ Michael D. Sirota

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